

**REMARKS**

Claims 1, 14, 19, 22, 23, and 29 are currently amended. Claims 12-13 and 18 are canceled. Applicant respectfully submits that the amendments contained herein are fully supported by the specification and drawings as originally filed and do not contain new matter.

*Claim Rejections Under 35 U.S.C. § 102*

Claims 1-6 and 11-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Van Oosterhout (U.S. Published Application No. 2004/0179220 A1). Applicant reserves the right to swear behind Van Oosterhout. Applicant respectfully traverses.

Claims 1 and 14, as currently amended, each recite: “detecting a security code for printed material from the printed material as the printed material is scanned into the digital transmitter; determining a security level of the security code after the printed material is scanned into the digital transmitter; sending data corresponding to the printed material scanned into the digital transmitter to one or more destination addresses selected by a user when the security level of the security code is low; determining whether the user of the digital transmitter has proper security authorization only when the security level of the security code is not low; sending data corresponding to the printed material scanned into the digital transmitter to the one or more destination addresses selected by the user when the user has proper security authorization and the security level of the security code is not low; and implementing security measures when the user does not have proper security authorization and the security level of the security code is not low.”

Van Oosterhout does not include or suggest sending data corresponding to printed material scanned into the digital transmitter to one or more destination addresses selected by a user when the security level of a security code detected from the printed material is low and determining whether the user of the digital transmitter has proper security authorization only when the security level of the security code is not low. That is, Van Oosterhout does not determine whether the user of the digital transmitter has proper security authorization based on the security level of a security code detected from the printed material that is scanned into a digital transmitter, as does each of claims 1 and 14. Therefore, Van Oosterhout does not include or suggest each and every recitation of each of claims 1 and 14, so claims 1 and 14 are allowable over Van Oosterhout.

Claims 2-6 and 11 depend from claim 1 and are thus allowable over Van Oosterhout for at least the same reasons as claim 1. Claims 15-17 depend from claim 14 and are thus allowable over Van Oosterhout for at least the same reasons as claim 14. Claims 12-13 and 18 are canceled, mooting the rejection thereof.

Claim 19, as currently amended, recites: detecting a security code from the digital data; sending the digital data to all of the one or more destination addresses selected by the user without requiring the user to input a security authorization when the security code when the security code is low; and determining whether a user of the digital transmitter has proper security authorization only when the security code is not low. There is no indication or suggestion of this in Van Oosterhout. Therefore, Van Oosterhout does not include or suggest each and every recitation of claim 19, so claim 19 is allowable over Van Oosterhout.

Claims 20-21 depend from claim 19 and are thus allowable over Van Oosterhout for at least the same reasons as claim 19.

Claim 22, as currently amended, recites “means for converting scanned printed material into digital data; means for detecting a security code from the digital data; means for sending the digital data corresponding to the printed material scanned into the digital transmitter to one or more destination addresses selected by a user of the digital transmitter when the security level of the security code is low; means for determining whether the user has proper security authorization when the security level of the security code is not low; means for sending the digital data to the one or more destination addresses selected by the user when the user has proper security authorization and when the security level of the security code is not low; and means for implementing security measures when the user does not have proper security authorization and when the security level of the security code is not low.”

Van Oosterhout does not include or suggest sending the digital data corresponding to the printed material scanned into the digital transmitter to one or more destination addresses selected by the user when the security level of the security code is low and determining whether the user has proper security authorization when the security level of the security code is not low. Therefore, Van Oosterhout does not include or suggest each and every recitation of claim 22, so claim 22 is allowable over Van Oosterhout.

*Claim Rejections Under 35 U.S.C. § 103*

Claims 7-10 and 23-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Oosterhout (U.S. Published Application No. 2004/0179220 A1) in view of Nolan (U.S. Published Application No. 2003/0229492 A1). Applicant reserves the right to swear behind Van Oosterhout and Nolan. Applicant respectfully traverses.

Claim 1, as currently amended, is patentably distinct from Van Oosterhout. Moreover, Van Oosterhout in combination with Nolan fails to overcome the deficiencies of Van Oosterhout with respect to claim 1. Therefore, claim 1 is allowable over Van Oosterhout in view of Nolan. Claims 7-10 depend from claim 1 and are thus allowable over Van Oosterhout in view of Nolan for at least the same reasons as claim 1.

Claims 23 and 29, as currently amended, each recite that a security message is issued when the security level of the security code is low without requiring the user of the digital transmitter to input a security authorization and that data corresponding to printed material scanned into the digital transmitter is sent to one or more (claim 23) or all of one or more (claim 29) destination addresses selected by the user without requiring the user to input a security authorization when the security code is low. There is no indication or suggestion of this Van Oosterhout or Nolan or in Van Oosterhout and Nolan in combination. Therefore, each of claims 23 and 29 is allowable over Van Oosterhout in view of Nolan.

Claims 24-28 depend from claim 23 and are thus allowable over Van Oosterhout in view of Nolan for at least the same reasons as claim 23. Claim 30 depends from claim 29 and is thus allowable over Van Oosterhout in view of Nolan for at least the same reasons as claim 29.

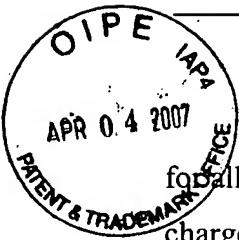
RESPONSE TO NON-FINAL OFFICE ACTION

Serial No. 10/624,422

Title: DIGITAL TRANSMITTER SECURITY

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CONCLUSION

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No. 08-2025.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2208.

Respectfully submitted,

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Tod A. Myrum  
Tod A. Myrum  
Reg. No. 42,922

Attorneys for Applicant  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
3404 E. Harmony Rd.  
Fort Collins, CO 80527-2400